

other about what American families actually need and what actually works. We could create targeted, thoughtful bills that didn't rely on budget gimmicks or party lines to pass.

So we can't let our Democratic colleagues fool Americans. Their Build Back Better bill isn't making American families better. It is not helping Americans who are suffering from mental health issues. It is not helping our country's drug addiction problems. It is an anti-family bill that will make our country more dependent on Big Government, and it is spending money the wrong way.

I yield the floor.

JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, I rise today to speak on three highly qualified judicial nominees: Judge Lucy Koh, nominated to the Ninth Circuit; Jennifer Sung, also nominated to the Ninth Circuit; and Samantha Elliott, nominated to the District of New Hampshire.

These nominees will bring much-needed professional and demographic diversity to the bench. They have the qualifications and character needed to serve effectively in the Judiciary. And all three have records that demonstrate an evenhanded and unbiased approach to the law.

Judge Lucy Koh has served as a district court judge for the Northern District of California for more than a decade. When President Obama nominated her to that role in 2010, she was confirmed in the Senate with broad, bipartisan support, a 90-0 margin. That unanimous support reflected Judge Koh's abilities and experience and also a deep sense of trust that that she would be ready to take on the demands of the Federal district court from day 1.

Well, Judge Koh has certainly risen to the occasion. As a district court judge, she has issued thousands of written opinions. And she has presided over 271 trials. Notably, Judge Koh has grappled with many complex—and often novel—questions of law, particularly those related to technology. These are the kinds of questions that regularly make their way to the circuit courts. So we know that Judge Koh is already wellversed in the types of cases she will encounter on the Ninth Circuit.

What is more, during her time on the bench, Judge Koh has exemplified the hallmarks of what makes an outstanding judge. She engages in thoughtful, well-reasoned analysis; follows precedent, irrespective of whether she agrees with it; and always—always—applies the law to the facts in an evenhanded, impartial way.

Judge Koh was rated unanimously “well qualified” by the American Bar Association to serve on the circuit court. And upon confirmation, she will be the first Korean-American woman to ever serve on a circuit court.

Judge Koh received a bipartisan vote in the Judiciary Committee, and I hope

she receives bipartisan support here on the floor.

The Senate will also be voting on Jennifer Sung's nomination to the Ninth Circuit. Ms. Sung is a distinguished jurist who will bring a vital, and underrepresented, perspective to the Federal bench.

After graduating from Yale Law School and clerking on the Ninth Circuit, Ms. Sung spent over a decade representing American workers in labor disputes. These workers were often minorities from low-income backgrounds. In 2017, Ms. Sung's expertise in labor law attracted the attention of Oregon Governor Kate Brown, who appointed her to serve on the Oregon Employment Relations Board.

The ERB, as it is called, is a quasi-judicial agency charged with resolving labor disputes. As a member of the three-person panel, Ms. Sung reviews evidentiary records, independently evaluates the law, and works in a collaborative manner to reach a consensus on opinions. In other words, she has already handled many of the responsibilities that come with being a Circuit Court Judge. So Ms. Sung will be right at home on the Ninth Circuit.

In addition to the professional diversity Ms. Sung will bring to the bench as an expert in labor law, she will also bring important demographic diversity. If confirmed, she would make history as the first Asian-American woman to hold an Oregon seat on the Ninth Circuit.

Ms. Sung has presided over hundreds of legal matters—only three of which have been overturned. She has demonstrated a commitment to impartiality, a thoughtful approach to decision-making, and a keen ability to separate her personal views from the law and the facts at hand. That is also reflected by the fact that the American Bar Association rated Ms. Sung as “well qualified.”

Finally, the Senate will soon take up Samantha Elliott's nomination to the District of New Hampshire. Ms. Elliott has spent her entire legal career in New Hampshire. With her deep knowledge of the State's legal system and her evenhanded approach to the law, she will make an outstanding Federal judge.

Ms. Elliott is an accomplished litigator who has spent much of her career representing New Hampshire municipalities and their employees. She has also dedicated herself to increasing access to justice. As a co founder of 603 Legal Aid, Ms. Elliott has worked tirelessly to provide legal services to members of low-income communities. And she has dedicated countless hours to her pro bono legal work.

With her considerable experience in both State and Federal courts, it is little surprise that Ms. Elliott was unanimously rated as “well qualified” by the American Bar Association. She also received a bipartisan vote of 15-7 in the Judiciary Committee.

I urge all of my colleagues to join me in supporting these three highly quali-

fied nominees. With their breadth of credentials, experience, and commitment to the rule of law, each of them will make outstanding additions to the Federal bench.

The PRESIDING OFFICER. The Senator from California.

NOMINATION OF LUCY HAERAN KOH

Mr. PADILLA. Mr. President, I rise today in support of the nomination of Judge Lucy Koh to the United States Court of Appeals for the Ninth Circuit. Judge Koh is an outstanding legal thinker and a trailblazing public servant. Her commitment to equal justice for all has earned her support on both sides of the aisle. From her first judicial appointment by former California Governor Arnold Schwarzenegger to her unanimous Senate confirmation to serve as a Federal district judge in California, to her strong bipartisan advancement recently from the Senate Judiciary Committee for this appointment, Judge Koh has a reputation for excellence that stretches far and wide.

She built this reputation over the course of a stellar legal career that started right here in this Senate, as a women's law and public policy fellow with the Senate Judiciary Committee. She then spent 7 years with the U.S. Department of Justice, earning numerous accolades for her work, including an FBI award for excellence in prosecuting major fraud.

From the Department of Justice, Judge Koh made her way to California—to Silicon Valley, specifically—where she made a name for herself as an expert litigator on intellectual property cases.

In 2008, Governor Schwarzenegger, as I mentioned, appointed her to the California Superior Court. Just 2 years later, President Obama nominated Judge Koh to the Federal District Court bench, and she was confirmed unanimously by this Senate. And in the decade since, Judge Koh has gone on to distinguish herself as a jurist. She is well known, not only in her district but across the country as talented, thoughtful, smart, and fair.

This nomination is actually her second nomination to the Ninth Circuit. In 2016, she was nominated and advanced out of the Senate Judiciary Committee at that time on a bipartisan basis but, unfortunately, never received a floor vote in this Senate.

But now that we have this vote scheduled, I hope that my colleagues will join me in voting to confirm Judge Koh on a strong bipartisan vote once again. I know the people of California, the Ninth Circuit, and the country at large will benefit from her dedication, her integrity, and compassion as a circuit court judge.

In many ways, the story that Judge Koh brings to the bench is the epitome of the American Dream. The daughter of Korean immigrants who fled communism and dictatorship in search of a better life, Judge Koh was born in Washington, DC, and raised in Vicksburg, MI. And growing up, Judge Koh